

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 10 and 25 are rejected under 35 U.S.C. 102(a) as being anticipated by Bailey et al (US Pub 2002/0150086).

As to claim 10 and 25, Bailey teaches a method for locating a telephone terminal having a voice connection via a packet network (*location of the internet protocol phone, Abstract and fig. 101*), comprising:

registering the telephone terminal with a server operated by an internet service provider (*A communication device management module communicates with the communication device for registering the communication device with the communication device management module, par. 0009, 0022 and 0038*);

storing a call number of the telephone terminal and localization information assigned to the call number in the server during registration (*Registration of communication device 103 with communication device management module 109 includes communication device management module 109 querying a Local Area Network (LAN) switch 111 for location information regarding communication device 103, par. 0023*);

Art Unit: 2614

initiating the localization of the telephone terminal during the voice connection; querying the server for the localization information assigned to the call number in order to locate the telephone terminal (*par. 0004 states the deficiency of the early system presenting a lacking of the location information. Entire document, specifically, par. 0009, 0020, 0028 and 0038 show how to overcome the prior art in locating device*); and determining the position of the telephone terminal based on the localization information (*Abstract, par. 0003, 0009, 0012, 0020-0022 and fig. 2*).

As to claim 11, 12, and 13, Bailey teaches the server is located in the packet network (*internet protocol system/Local Area Network*). Furthermore, telephone terminal (*telephone 103 of fig. 1*) is directly connected to the packet network. And furthermore, the packet network is based Internet Protocol and the position of an IP telephone (*communication device 103 communicates with a server 107 via network jack 105 in order to receive a protocol address (e.g., a dynamically assigned internet protocol address, a known protocol address, and/or the like, par. 0021, 0022, 0023, 0025)*), or a computer equipped for voice communication is determined. Furthermore, Bailey teaches the localization is initiated during a connection setup of the voice connection (*par. 0009 and 0020*).

As to claims 18 and 23, Bailey teaches a packet network address of the telephone terminal is stored in the server during the registration of the telephone terminal (*LAN switch information (including specific LAN switch information, e.g., port number, jack number, MAC address, and/or the like, par. 0025; or location information (e.g., internet protocol address, LAN switch information, site address, site building, site*

Art Unit: 2614

floor, site wing, site column, and/or other site specific information), Emergency Response Location information (information usually used by emergency personnel to locate a person or entity), Global Positioning System (GPS) coordinates, and/or the like depending on communication system's 101 needs. Communication device management module 109 may store such information for communication device 103 in server 113, par. 0026).

As to claims 19, 24 and 29, Bailey teaches the called terminal is part of an emergency call center (*par. 0003, 0019-0020 and 0034*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15-17, 20-22 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey et al (US Pub 2002/0150086) in view of Rai et al (US Pub 2005/0070315).

As to claims 15, 20 and 26, Bailey does not explicitly spell out his teaching on connection to a Time Division Multiplexing network a Time Division Multiplexing network, and wherein the localization is initiated in a switching system that switches incoming calls to the called terminal.

Art Unit: 2614

(One ordinary skilled artisan can reasonably argue that the TDM network is a matter of engineering choice. The fundamental feature application is an essential element in Bailey's teaching regardless type of the network.

Therefore it would have been obvious to the ordinary skilled artisan at the time of the invention was made to add one or more steps in enhancing the system that is applicable to the engineering choice of the TDM network.

Furthermore, Rai teaches the feature application based on variety of platforms, such as CDMA, GSM, TDMS or UMTS, etc., that support the transport of data messages. Here it is obvious the TDM network is one of the choices (*par. 0013*).

Therefore it would have been obvious to the ordinary skilled artisan at the time of the invention was made to add one or more steps in enhancing the system that is applicable to the engineering choice of the TDM network.

As to claims 16-17, 21-22 and 27-28, Bailey does not explicitly teach the localization information is sent from the server via an e-mail, a Short Messaging Service or a fax to the called terminal and to the switching system.

(It is quite obvious for the ordinary skilled artisans to make argument that the transport mechanism, such as e-mail, SMS or fax is commonly known in the art. Any internet protocol telephony is capable of any of the above methods for the caller to communicate with the called terminal (PSAP) and certainly to the any mobile switching center (MSC).

Therefore it would have been obvious to the ordinary skilled artisan at the time of the invention was made to add one or more steps into the teaching of Bailey to clearly

Art Unit: 2614

define that the system is an intelligent system and capable of using email, SMS or fax as a way to communicate with the called terminal and or switching center).

Furthermore, Rai teaches the use of email being sent to a called device (PSAP center) that is known to the switching system (MSC) (*par. 0005*) or SMS type of messaging (*par. 0013*) for the purpose of enhancing various communication mechanisms to the caller.

Therefore it would have been obvious to the ordinary skilled artisan at the time of invention was made to incorporate the teaching of Rai into the teaching of Bailey for the purpose of providing the caller, especially in time of emergency, life threatening situation or natural disaster, to have various means to communicate to the emergency center (*911 or PSAP*).

INQUIRY

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Application/Control Number: 10/582,597
Art Unit: 2614

Page 8